(c) No, Sir.

(d) Does not arise.

Number of Personnel convicted in Jammu and Kashmir

3943. SHRI JAGMOHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) how many personnel of the Army, Paramilitary forces (BSF, CRPF and Industrial Security force, etc.) and local police have been prosecuted/punished/ convicted for acts of criminal and other excesses, and how many have been proceeded against/punished in the State of Jammu and Kashmir during the period 1st January, 1990 to 31st March, 1994;

(b) for which criminal offences and departmental lapses they have been proceeded against/punished and against which specific incident or incidents; and

(c) how many militants and their collaborators and other transgressors of laws, involved in acts of terrorism, murders and kidnappings, etc. have been convicted during the same period (1.1.1990 to 31.3.1994)?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) and (b) As per available information, 134 security force personnel have been awarded punishment which include imprisonment for varying periods upto 10 years, dismissal/removal from service, and other departmental punishments. In 40, cases, interim action has been taken by way of suspension, arrest, etc. during pendency of prosecution, inquiries, etc. These personnel have been punished for various allegations like rape/molestation; failure of commend and improper/indiscriminate use of force; manhandling; wrongful confinement; improprieties during search operations; etc. It would not be feasible nor in public interest to give details of each incident relating to these punishments.

(c) According to information provided by the State Governments, so far (June, 1994), 10504 persons have been arrested under TADA for acts of violence and terrorism. Further information sought in the question is being collected and will be laid on the Table of the House.

Report submitted by Human Rights Commission

3944. SHRI JAGMOHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number of memoranda/ representations/complaints which have been filed before the Human Rights Commission by the human rights bodies/ agencies functioning in Kashmir and the rest of the country;

(b) what are the findings, if any, given by the Human Rights Commission on these memoranda/representations/ complaints;

(c) whether the Human Rights Commission submitted any interim or final report, on any matter, to the Government of India; and

(d) if so, what are the observations/ recommendation of the Commission?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) The National Human Rights Commission has received over 3500 memoranda/ representations/complaints so far. Out of these, 95 memoranda/representations/ complaints pertain to the State for Jammu & Kashmir.

(b) Out of 819 complaints considered by the Commission till 31.7.1994, 328 have been admitted for inquiry/ investigation/report while 390 have been dismissed. 66 cases have been forwarded to the concerned authorities for disposal at their end. 29 cases have been concluded after consideration with observations/recommendations. The grounds for dismissal of the complaints broadly are "not falling within the purview of the Commission in accordance with the statutory provisions' or "no case of violation of human rights having been made out.'

(c) and (d) The National Human Rights Commission has so far submitted its final report in respect of the incident of firing at Bijbehara (Jammu & Kashmir) of 22 October, 1993. The Commission made the follwoing observations/ recommendation:—

(i) The Commission noted that disciplinary proceedings had been initiated under the Border Security Force Act against 14 members of the Force, and further that, on the basis of a Magisterial Inquiry, steps may be initiated to launch prosecutions. The Commission expected that the proceedings would be pursued to their